

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 4116 of 2005

Between:

Mohd. Shahid Ahmed Siddiqui, S/o. Late Sri M.K.R. Siddiqui,
R/o. MC No. 463, New Malakpet, Hyderabad-36.

..... PETITIONER

AND

1. HUDA - Hyderabad Urban Development Authority,

Begumpet, Hyderabad, rep. by its Chairman.

2. The Municipal Corporation of Hyderabad, Near Burgula

Ramakrishna Rao Bhavan, Secretariat Road, Hyderabad rep. by its

Commissioner.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus; directing the respondents not to grant any permission for construction in the land Ex. Ac.4.24 Gts in S.No.318/1 to 5 situated at 3-119/4, C/o. Commercial Motors, Chaitanyapuri Bridge, Dilsukhnagar, Hyderabad or any third parties in view of pending cases before this Hon'ble Court vide WP.No. 940/1993 and CCCA No. 141/2001 for pending consideration before this Hon'ble Court.

Counsel for the Petitioner: MR.MOHD.MOINUDDIN

Counsel for the Respondent No.1: MR.B.VISWANATHA REDDY

Counsel for the Respondent No.2: MR. G. Rama Rao, SC for MCH

The Court made the following:

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ORDER:

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This Writ Petition is filled apprehending that the respondents would grant permission for construction in an extent of Ac.04.24 guntas in Sy.No.318/1 to 5 situated at Gaddiannaram village, Asmanadh, Hyderabad to one Manoj Kotari of Commercial Motors, Chaitanyapuri Bridge, Dilsukhnagar, Hyderabad or any other third parties.

The petitioner claims ownership and possession of the aforesaid land. Apprehending grant of permission by the respondents, the petitioner made a representation, dated-14.02.2005 to the respondents and yet, he has filed this Writ Petition apprehending that they may grant permission for construction. The Writ Petition is pre-mature. As and when any permission is granted by the respondents, the petitioner is at liberty to challenge the same before the appropriate forum. As on date, there is no ripe cause of action, warranting issuance of proceedings under Article 226 of the Constitution of India.

Accordingly, the Writ Petition is dismissed. No costs.

GODA RAGHURAM, J

Date:03-05-20005

Ccm/ksn

To

1. The Chairman, HUDA - Hyderabad Urban Development Authaority,
Begumpet, Hyderabad.
2. The Commissioner, The Municipal Corporation of Hyderabad, Near Burgula
Ramakrishna Rao Bhavan, Secretariat Road, Hyderabad.
3. 2 CD copies.